

REMARKS

Claims 193, 200, 202, 203, 204 and 205 are amended. Claims 193-205 are pending in the application.

Claims 193-194, 200-203 and 205 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Turner (U.S. Patent Publication No. 2004/0119131). The Turner application claims priority to a provisional application which was filed May 1, 2001. Applicant notes that the present application claims priority to PCT Application PCT/US01/17996 which in turn claims priority to U.S. Provisional Application Serial No. 60/225,518, which was filed August 15, 2000. The claims of the present action are fully supported by the description in the priority provisional application. Accordingly, the effective filing date of the present action for determining prior art is August 15, 2000. The cited Turner application therefore does not qualify as prior art.

Claims 193-205 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lo (U.S. Patent No. 5,896,553). The Examiner is reminded by direction to MPEP § 2143 that a proper obviousness rejection has the following three requirements: 1) there must be some suggestion or motivation to modify or combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the combined references must teach or suggest all of the claim limitations. Claims 193-205 are allowable over Lo for at least the reason that the reference fails to disclose each and every limitation in any of those claims.

The Examiner indicates at page 4 of the present Action that although Lo discloses Ti-W targets the methods disclosed by Lo extend to targets comprising titanium and tantalum. Without admission as to the propriety of the Examiner's statements claims 193 and 200 are amended to recite targets comprising Ti and one or more alloying element

selected from a recited group which does not list Ta. Lo does not disclose or suggest any of the additionally recited elements in the group. Accordingly, each of claims 193 and 200 are allowable over Lo.

Dependent claims 202, 203, 204 and 205 are amended to properly depend from independent claim 200. Dependent claims 194-199 and 201-205 are allowable over Lo for at least the reason that they depend from corresponding allowable base claims 193 and 200.

For the reasons discussed above, pending claims 193-205 are allowable. Accordingly, applicant respectfully requests formal allowance of such pending claims in the Examiner's next action.

Respectfully submitted,

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